

RENTON CITY COUNCIL
Regular Meeting

April 10, 2000
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; TIMOTHY SCHLITZER; KING PARKER; DON PERSSON; KATHY KEOLKER-WHEELER; DAN CLAWSON. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL EXCUSE ABSENT COUNCILMEMBER TONI NELSON. CARRIED.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; DAVID DEAN, Assistant City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; JIM SHEPHERD, Community Services Administrator; GAIL REED, Airport Supervisor; REBECCA LIND, Principal Planner; DON ERICKSON, Senior Planner; BARBARA KRAUSS, Neighborhood Specialist; COMMANDER CURTIS SMALLING, Police Department.

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL APPROVE THE MINUTES OF APRIL 3, 2000 AS PRESENTED. CARRIED.

SPECIAL PRESENTATION
EDNSP: 2000 Neighborhood
Grants

Barbara Krauss, Neighborhood Specialist, explained that the City's Neighborhood Grant program aspires to make Renton's neighborhoods more viable and livable, and to bring residents together. She and Mayor Tanner presented the 2000 Neighborhood Grants to the following community representatives:

Jim Riley, Summerwind Estates, \$1,000 for a spring-flowering bulb planting project;

Elaine Ravsten, Earlington neighborhood, \$1,700 for a daffodil project and neighborhood sign and garden;

Phillip Beckley, Highlands Community Association, \$1,200 for a bulb planting project;

Linda Knowl, Kennydale Neighborhood Association, \$3,895 for a gateway sign project (west side of I-405), and

Laurie Giometti, North Renton Neighborhood Association, \$885 for a sign project.

PUBLIC HEARING
Planning: Automall Map
Amendments (Areas "A" &
"B")

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider amendments to Areas "A" and "B" of the Automall Overlay District, and to Section 9-14-11, Administrative Procedures for Right-of-Way Vacations.

Don Erickson, Senior Planner, explained that the proposed changes to Areas "A" and "B" would affect several properties which are zoned Medium Industrial and currently contained within Area "A". These properties, located between Seneca Ave. S. on the east and Raymond Ave. S. on the west, would remain part of the overlay district, but transfer to Area "B" from Area "A". The northernmost half-block, which fronts Grady Way and is zoned Commercial Arterial, would remain in Area "A". Mr. Erickson explained that this change would allow existing uses to be legally permitted rather than legal non-conforming, without precluding new

dealerships from locating here.

Mr. Erickson added that since there would no longer be a need for land assembly in the redesignated Area "B", incentives for street and alley vacations (such as the waiver of street vacation fees) would no longer apply to these properties.

Public comment was invited. There being none, it was MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2000 and beyond. Items noted included:

- ✧ A ribbon-cutting ceremony for City Hall's new access ramp will be held on Friday, April 14th at 10:00 a.m.
- ✧ Wells and Williams Avenues South and S. 5th Street will be much smoother to drive on at the end of this week, after the temporary construction trench patches are replaced with high-quality patches.
- ✧ Renton's 2000 Special Olympics program began last week with 90 athletes enrolling for the track and field, soccer, and cycling activities.

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL SUSPEND ITS RULES AND ADVANCE TO THE TRANSPORTATION (AVIATION) COMMITTEE REPORTS RELATING TO LEASES AT THE MUNICIPAL AIRPORT. CARRIED.

Transportation (Aviation) Committee

Airport: T-Hangar Lease Rate
Increase

Transportation (Aviation) Committee Chair Persson presented a report regarding the lease rate for City-owned T-hangars. The Committee recommended that Council approve an increase of the monthly rent for each of the ten separate T-hangars within the City-owned hangar building to \$200 per month, plus leasehold tax of \$25.68. The Committee further recommended that Council approve the use of the Consumer Price Index as the basis for periodic rent increases of the T-hangar units at three-year intervals, using the same procedures as for land leases. MOVED BY PERSSON, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

AUDIENCE COMMENT

Citizen Comment: Blake –
Cedar River Hangars Lease at
Municipal Airport

Al Blake, 12541 – 200th Ave. SE, Issaquah, WA, spoke as a representative of the Cedar River Hangar Partnership which leases space at the Renton Municipal Airport. Commenting that Clayton Scott of Jobmaster would appreciate a delay in any action regarding his lease because his business partner was not able to attend tonight's meeting, Mr. Blake relinquished the remainder of his allotted speaking time to Phil Pearl.

Citizen Comment: Pearl –
Cedar River Hangars Lease at
Municipal Airport

Phil Pearl, 5302 Lola Lane, Langley, WA, spoke as a board member and one of the 29 partners of the Cedar River Hangar partnership. Explaining that Cedar River Hangars recently asked the City for a ten-year extension of its lease from 2005 to 2015, he emphasized that the company needs consistency and predictability in order to have a viable business and so it can attract future capital investments at the airport. Mr. Pearl said the company requested a lease extension specifically to 2015 to coordinate this timing with the Airport Masterplan. He claimed that last year, the City extended the lease for Lane Aviation for 30 years.

Continuing, Mr. Pearl said Cedar River Hangars has submitted information regarding the revenue the City would continue to receive if it extended the land

lease for this company, compared with the expenses incurred if the City assumed ownership of the hangar buildings and was newly responsible for the requisite maintenance, management and operations costs. Saying that Cedar River Hangars now pays about \$32,000 annually to the City, he warned that if the City assumes control of this space, it would probably operate at a deficit due to the new expenses. Mr. Pearl added that the City might also find that the hangars are a liability which could require rehabilitation work to meet Code or to fulfill ADA requirements.

Mr. Pearl claimed he was told that the City is moving general aviation off of the east side of the airport, although this would not be consistent with the Airport Master Plan. He was particularly troubled by this situation as four years ago, prior to investing in this company, he had been assured that that he could reasonably expect this lease to be extended.

Mayor Tanner replied that the City cannot freely give away publicly-owned land or buildings. He was willing to recommend to Council that, at the end of the current lease, the City lease both the ground and the hangars to Cedar River Hangars. Mayor Tanner disputed Mr. Pearls' statement that the City extended the lease for Lane Aviation for 30 years, explaining that the original lease for Lane Aviation was for twenty years (until 12/31/2005) with an option for one ten-year extension (to 12/31/2015). The renegotiated lease, which imposed many new requirements on the lessee, has an initial term which terminates in July of 2018. Only if the lessee complies with all the terms and conditions of the new lease can it be extended for two additional five year periods, to July of 2028.

Councilmember Keolker-Wheeler added that when the Lane Aviation lease was renegotiated, the new conditions placed on the lessee included provision of 24-hour restroom facilities, maintenance of office space, and an escalator for the rental adjustment rate.

Council President Corman clarified that no decision has been made to not lease this property to Cedar River Hangars any longer. Rather, the issue at hand deals with property ownership. After this is resolved, the parties can move on to negotiating fair and reasonable terms for the lease extension.

Councilman Persson agreed that no discussion has taken place related to not renewing this lease. Any action taken this evening on the Jobmaster and the Cedar River Hangars leases will apply only to activating the reversionary clauses of these leases.

Transportation (Aviation)
Committee

Lease: Cedar River Hangars
Lease at Municipal Airport

Transportation (Aviation) Committee Chair Persson presented a report regarding the Cedar River Hangar lease at Renton Municipal Airport. The Committee recommended that Council confirm that it is the intent of the City to acquire ownership of buildings and other improvements at the termination of the initial lease term or any optional extension periods provided for in the initial lease, or, depending upon the condition of the building or improvements and at the City's option, require that they be removed and the ground restored to its original condition, when and as stipulated in the initial lease. **MOVED BY CLAWSON, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.***

Citizen Comment: Kirchner –
Cedar River Hangars Lease at
Municipal Airport

Mark Kirchner, 7426 SE 71st St., Mercer Island, WA, said that extending the lease for Cedar River Hangars would be in the best interests of the City of Renton as a whole, and would also be fair with respect to other lease extensions.

He was worried about having to pay substantially more to rent the same space, and feared that if rents were raised, current tenants would slowly migrate elsewhere. He suggested that a study be conducted to determine what the extended ten-year land lease rate would have to be for the financial impact to the City to be neutral. Mr. Kirchner added that Cedar River Hangars, as a limited liability partnership, enjoys legal protections which the City does not.

Councilman Clawson clarified that the original lease for this property was a ground-only lease, which was entered into at a reduced rate on the presumption that the company would make property improvements. The specific terms of this lease authorized the company to construct a hangar, with the provision that the ownership of any improvements made would revert to the City after a certain amount of time. Adding that the City must remain flexible to respond to changing situations, he was not comfortable being locked into another long-term lease for this property. Mr. Clawson concluded that currently, the demand for hangar space appears to outweighs the supply.

Citizen Comment: Scott –
Jobmaster Lease at Municipal
Airport

Clayton Scott, 1800 SE 30th, Mercer Island, said he has held the Jobmaster lease at Renton Municipal Airport for 50 years. For more than two years, he has sought an extension of this lease as well as permission to construct a new building on the property. Stating that Jobmaster has been an excellent long-term tenant at the airport and has made many investments in its facilities, Mr. Scott wondered whether the City was pressuring the Airport Manager to generate more revenue.

Saying that the City is sensitive to those who have invested in the airport, Councilman Corman emphasized that Council and the Administration must ensure that the airport is managed correctly. He agreed with Mr. Clawson that the City is motivated to keep flexibility for the future, and shorter-term leases will allow this.

Assistant City Attorney David Dean added that legal counsel has strongly advised that the City not give up any reversionary interest in these leases, since it cannot, by law, gift public property. Such an action might also be construed as not adhering to the terms of the leases, which the City is obligated to do on behalf of all its citizens.

***MOTION CARRIED TO APPROVE THE COMMITTEE REPORT
RELATING TO THE CEDAR RIVER HANGARS LEASE, AS PRESENTED.**

**Transportation (Aviation)
Committee**

Lease: Jobmaster Lease at
Renton Municipal Airport

Transportation (Aviation) Committee Chair Persson presented a report recommending that Council confirm that it is the intent of the City to acquire ownership of buildings and other improvements at the termination of the initial lease term or any optional extension periods provided for in the initial lease, or, depending upon the condition of the building or improvements and at the City's option, require that they be removed and the ground restored to its original condition, when and as stipulated in the initial lease. The Committee further recommended that Council confirm that it is the intent of the City to acquire ownership of the hangar building from Mr. Clayton Scott on March 1, 2003, as stipulated in the City's initial lease with Mr. Scott. **MOVED BY PERSSON, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Airport: Apron "C" Month-to-
Month Leases (Individual)

Transportation (Aviation) Committee Chair Persson presented a report recommending that Council authorize the Airport Manager to lease, for a one-

year trial period, that portion of the Apron "C" land area returned by the Boeing Company in June 1999, and that such leases shall be to individual aircraft owners for tie-down aircraft storage on a month-to-month basis. The Committee further recommended that Council authorize the Airport Manager to execute the month-to-month leases for said month-to-month aircraft storage leases. **MOVED BY PERSSON, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

AUDIENCE COMMENT

Citizen Comment: Rollins – May Valley Prezone (King County Comprehensive Plan Change)

Jean Rollins, 9605 – 143rd Ave. SE., Renton, alerted Council to the fact that the County-executed proposed amendments to King County's Comprehensive Plan would change the land use designation for properties in May Valley (south of SE May Valley Road and east of 136th Ave. SE) from Urban Residential to Greenbelt/Urban Separator. Explaining that these properties are within Renton's potential annexation area, Ms. Rollins noted that according to the City, they should be designated as "Community Separator" rather than "Urban Separator".

Councilmember Keolker-Wheeler emphasized that Renton is highly familiar with this area and its environmental sensitivity and constraints. She was concerned that the County acknowledge and respect the City's position on zoning in this area. **MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.**

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

City Clerk: Non-Linear Video Editing System

City Clerk Division requested authorization to purchase a non-linear video editing system for production of City-sponsored video programming, at a cost of \$29,029.87. Refer to Finance Committee.

Parks: 2000 Waterfowl Removal Agreement

Community Services Department recommended approval of the annual interlocal agreement for waterfowl removal (continuation of the egg addling program and study), at a cost of \$1,377.00. Refer to Community Services Committee.

Franchise: Metromedia Fiber Network Services

Development Services Division recommended granting a franchise agreement to Metromedia Fiber Network Services, Inc., for installation of a fiber optics system in Renton. Refer to Transportation Committee.

Public Works: Mosquito Abatement Contract, Whitworth Pest Control

Surface Water Utility Division recommended acceptance of Whitworth Pest Control, Inc., as a sole source provider of services for the City's 2000-2001 Mosquito Abatement Program, and approval of a contract in the amount of \$20,851.20 for services in 2000. Council concur.

MOVED BY CORMAN, SECONDED BY SCHLITZER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

OLD BUSINESS

Planning & Development Committee

Legal: Parking Vehicles on Residential Property

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding parking vehicles on residential property. The Committee met on this matter on April 7, 2000. The City Attorney advised that the City has power to legislate only when it furthers public safety, health, morals or welfare. He indicated that it is difficult to find that legislation would further one of these four goals. Furthermore, if a legal ordinance could be drafted, it would be very difficult to enforce. It was also noted that the City already had a parking limitation under Renton Municipal Code section 4-4-080 which states that there can be no more than four vehicles on a lot, including those under repair and restoration unless kept within an enclosed building. Based on this information, the Committee recommended that the Council take no action on this topic.

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Downtown
Identification Signs Revisions

Planning & Development Committee Chair Keolker-Wheeler presented a report recommending that Council set a public hearing on May 1, 2000, on proposed revisions to the Downtown Identification Sign regulations (as these apply to mid- and high-rise buildings of a minimum of 40 feet in order to exempt taller buildings with freeway orientation from the more restrictive sign regulations applicable in the downtown core). MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Eating & Drinking
Establishments in Regional
Parks & Golf Courses

Planning & Development Committee Chair Keolker-Wheeler presented a report recommending that Council set a public hearing on April 24, 2000 to consider proposed Code amendments for eating and drinking establishments in regional parks and golf courses. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee

Development Services: Fred
Meyer Release of Easement
(Roundup Co., RE-99-001)

Utilities Committee Chair Clawson presented a report regarding the request for a Release of Easement and a Partial Release of Easement for the Roundup Company (Fred Meyer), RE-99-001. The Committee recommended concurrence with the recommendation of staff and the Board of Public Works that the City Council release this easement, which is contained and described under King County Recording No. 8905040196, and partially release another easement, contained and described under King County Recording No. 9510090749.

The Utilities Committee also recommends concurrence with the recommendation of the Board of Public Works that the City Council collect the requisite processing fee from the applicant. No public funds were spent in acquiring or maintaining the easement to be released or the easement to be partially released. Therefore, these are Class "B" easements and require no further compensation other than the processing fee.

Class B Easements: All City of Renton easements for which no public funds have been expended in the acquisition, improvement or maintenance of same or easements originally dedicated or otherwise conveyed to the City by the present petitioner for the release of said easement for which no public expenditures have been made in the acquisition, improvement or maintenance thereof.

The Utilities Committee further recommended that Council authorize the Mayor and City Clerk to execute the Release of Easement and Partial Release of Easement documents, and that the City Clerk record the documents with King County. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Development Services:
Kindercare Release of
Easement (Exit 7, Inc, RE-99-
002)

Utilities Committee Chair Clawson presented a report regarding the request from Exit 7, Inc. (Kindercare) for a release of easement (RE-99-002). The Committee recommended concurrence with the recommendation of staff and the Board of Public Works that the City Council release this easement, which was reserved via Street Vacation Ordinance No. 2111 and recorded under King County Recording No. 20000217001327.

The Utilities Committee also recommends concurrence with the recommendation of the Board of Public Works that the City Council collect the requisite

processing fee from the applicant. No public funds were spent in acquiring or maintaining the easement to be released. Therefore, this is a Class "B" easement and require no further compensation other than the processing fee.

Class B Easements: All City of Renton easements for which no public funds have been expended in the acquisition, improvement or maintenance of same or easements originally dedicated or otherwise conveyed to the City by the present petitioner for the release of said easement for which no public expenditures have been made in the acquisition, improvement or maintenance thereof.

The Utilities Committee further recommended that Council authorize the Mayor and City Clerk to execute the Release of Easement document, and that the City Clerk record the document with King County. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Solid Waste: 2000 Contract
Bid/Proposal Process**

Utilities Committee Chair Clawson presented a report regarding the existing solid waste collection contract, which expires June 30, 2000. The City will procure a new contract through a bid/proposal process. Staff has completed the bid/proposal package and is ready to advertise for bids. The Committee concurred with staff's recommendation that Council approve the solid waste bid/proposal package and authorize staff to advertise this bid on April 12, 2000. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilmember Keolker-Wheeler praised Solid Waste Coordinator Linda Knight and her staff for satisfactorily responding to Committee concerns and requests for changes in the bid/proposal package.

NEW BUSINESS

**SCA: By-Laws Change
(Distribution of Member
Chairs)**

Mrs. Keolker-Wheeler reported a proposed change in the by-laws of the Suburban Cities Association (SCA) relating to the number and distribution of board positions for member jurisdictions. Under the proposal, the number of seats allocated to mid-range cities would increase by two, resulting in better distribution and parity for the class of cities representing almost two-thirds of the total membership. Renton would remain in the medium-1 city category, which would enjoy four rather than three representatives. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL SUPPORT THIS REVISION IN THE SCA BY-LAWS AS PROPOSED. CARRIED.

AUDIENCE COMMENT
**Citizen Comment: Paholke –
Pro-Flight Lease at Airport
(Lane Aviation)**

Diane Paholke, 2022 – 227th Ave. NE, Redmond, spoke as the owner of Pro-Flight Aviation, which leases space at Renton Municipal Airport along with Lane Aviation. Referring to comments made earlier in the evening regarding the extension of the Lane Aviation lease at the airport, she said the negotiations for this extension took almost three years, beginning in 1994 or 1995 when the economy was very different than it is now. Estimating that she spent \$40,000 to \$50,000 in legal fees to secure the extension, she added that the company spent another \$80,000 to \$125,000 in building improvements and upgrades required as a condition of the extension. She agreed that recent actions by Boeing Field (King County International Airport) to reduce general aviation activities has increased the demand on the facilities of Renton's Municipal Airport.

**Citizen Comment: Wyles
–Action Aviation Lease at
Airport**

William Wyles, 262 Union Ave. SE, Renton, spoke as the owner of Action Aviation, which has leased space at Renton Municipal Airport since 1987. Explaining that he had been subleasing spaces on Apron "C" from the Boeing

Company, Mr. Wyles objected to Council authorizing the Airport Manager to essentially compete with him in providing lease services. Mr. Wyles noted that because the City offers very little in the way of security services for the airport, the businesses which operate there try to maintain an adequate measure of safety themselves for the sake of the entire general aviation community. Adding that he has been a good steward of the facilities, he worried that his earning ability will be compromised by the City's actions. He concluded that the relationship between the City and airport tenants did not improve this evening.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADJOURN.
CARRIED. Time: 9:00 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
April 10, 2000